

PONCA CITY ADOPTED CODES AND ORDINANCES

TITLE 10

BUILDING REGULATIONS

CHAPTER 1

BUILDING CODES AND REGULATIONS

SECTION:

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10-1-1: CODES ADOPTED:

A. **Building Code: The international building code, 2015**, and its appendices as adopted by the Oklahoma uniform building code commission pursuant to 59 Oklahoma Statutes 1000.23 is hereby adopted by the city for the purpose of prescribing regulations governing construction, alteration, and remodel of buildings and structures, one copy of which has been filed in the office of the city clerk and the same and any future amendments thereto, is hereby adopted and incorporated as though fully set out at length herein, and from the effective date, the provisions thereof shall be controlling within the limits of the city. **(Ord. 6202, 4-27-2015)**

Where any provision contained within the international building code and its appendices is in conflict with the provisions contained within chapter 10, "Flood Damage Prevention", of this title the provisions contained in chapter 10 of this title shall prevail. (Ord. 6130, 12-13-2010)

1. Exceptions: Notwithstanding the provisions of this subsection A, the international building code is amended as follows:

a. Declaration Of Policy: The mayor and board of commissioners of the city of Ponca City find that the use of wood and wood shake shingles upon a building or structure increases the hazard that the flames of a nearby fire may spread to that building or structure. It is their desire that the use of wood shingles be reduced. The commission determines that in the interest of the public health, safety and welfare the citizens of the city should not be compelled by deed restrictions, restrictive covenants or otherwise to use wood shingles for their homes, buildings or other structures and that the public health, safety and welfare would be better protected if any such coercive processes were made invalid and unenforceable. At the same time, the commission is aware that developers and residents of subdivisions presently burdened by such restrictions on the use of wood shingles are interested in maintaining the aesthetic value of their neighborhood and that any law declaring these covenants to be invalid and unenforceable should also recognize the interest of developers and residents.

b. Requirements Mandating Use Of Wood And Wood Shake Shingles Invalid And Unenforceable: Deed restrictions, restrictive covenants, building association rules, contracts, plats or other instruments, whether existing or hereafter created, which require or effectively require the use of wood or wood shake shingles on any building or structure are hereby declared to be invalid and unenforceable. It shall be unlawful for any individual or organization to establish or enforce any deed restrictions, restrictive covenants, building association rules, contracts, plats or other instruments, which prevent or effectively prevent the owner from using roof coverings other than wood. Such owners shall have the option to substitute roof covering materials that are reasonably compatible in color and appearance with the existing roofs in the same subdivision. This determination of reasonable compatibility shall be made by the developer, architectural or building committee, homeowners' association or other similar committee in compliance with the legally created covenants in each subdivision, or in compliance with the regulations of any homeowners' association with the legal authority to make such a determination, if any, but only to the extent that their determination does not avoid or effectively avoid the purposes of this subsection A. Their determination of reasonable compatibility will be appealable to the construction appeals board in accordance with title 3, chapter 9 of this code the same as if the decision had been made by the code official.

2. Limitations: The provisions of subsection A1b of this section shall not be construed to abridge or abrogate the authority of deed restrictions, restrictive covenants, building association rules, contracts, plats, other instrument, the developer, architectural or building committee, homeowners' association or other similar committee with legal authority in any respect other than in the enforcement of restrictive covenants requiring the use of wood and wood shake shingles. (Ord. 5995, 1-26-2004)

B. Residential Code: The international residential code, 2015, and its appendices as adopted by the Oklahoma uniform building code commission pursuant to 59 Oklahoma Statutes 1000.23 is hereby adopted by the city for the purpose of prescribing regulations governing construction, alteration, and remodel of residential buildings and structures, one copy of which has been filed in the office of the city clerk and the same and any future amendments thereto is hereby adopted and incorporated as though fully set out at length herein and from the effective date, the provisions thereof shall be controlling within the limits of the city. (Ord. 6202, 4-27-2015)

Where any provision contained within the international residential code and its appendices is in conflict with the provisions contained within chapter 10, "Flood Damage Prevention", of this title the provisions contained in chapter 10 of this title shall prevail. **(Ord. 6143, 8-22-2011)**

C. Property Maintenance Code: The international property maintenance code, 2015 edition, and its appendices is hereby adopted by the city for the purpose of prescribing regulations for the minimum maintenance of buildings, structures, and premises, one copy of which has been filed in the office of the city clerk and the same and any future amendments thereto, is hereby adopted and incorporated as though fully set out at length herein and from the effective date, the provisions thereof shall be controlling within the limits of the city. (Ord. 6227, 12-12-2016)

D. Existing Building Code: The international existing building code, 2015, and its appendices as adopted by the Oklahoma uniform building code commission pursuant to 59

Oklahoma Statutes 1000.23 is hereby adopted by the city for the purpose of prescribing regulations governing construction, alteration, and remodel of existing buildings and structures, one copy of which has been filed in the office of the city clerk and the same and any future amendments thereto, is hereby adopted and incorporated as though fully set out at length herein, and from the effective date, the provisions thereof shall be controlling within the limits of the city. (Ord. 6226, 11-28-2016)

E. Energy Conservation Code:

1. The international energy conservation code, 2009, and its appendices is hereby adopted by the city for the purpose of incorporating energy saving provisions into the construction, alteration, and remodel of buildings and structures, one copy of which has been filed in the office of the city clerk and the same and any future amendments thereto, is hereby adopted and incorporated as though fully set out at length herein and from the effective date, the provisions thereof shall be controlling within the limits of the city.

2. Where any provision contained within the international energy conservation code and its appendices is in conflict with the provisions contained within the international residential code, the international residential code shall prevail. (Ord. 6144, 9-12-2011)

10-1-2: DEFINITIONS:

Whenever the following words or phrases are used in the building code adopted by the provisions of this chapter, they shall have the meanings respectively ascribed to them:

BUILDING OFFICIAL: The building official of the city.

CORPORATION COUNSEL: The city attorney for the city.

JURISDICTION: Whenever the word "jurisdiction" is used in the building code adopted by the provisions of this chapter, it shall be held to mean within the municipal limits of the city of Ponca City, Oklahoma. (Ord. 5968, 3-11-2002)

10-1-3: FEES:

A. Payment Required For Permit Issuance: No permit required by the city building code shall be issued until the fee prescribed in this section shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid. (1980 Code § 8-36; amd. 2003 Code)

B. Permit Fees: The following types of building permit fees shall be required in such amounts as established by resolution of the board of commissioners from time to time:

1. Construction of any building or structure, a fee for each one hundred (100) square feet of floor space in the building or structure, including porches.

2. Reroofing or repairing the roof of any existing building or structure.

3. Alteration of any existing building or structure.

4. Demolition of a building or structure, a fee for each story in height of such building or structure.

5. Erection of a display sign.

6. Certificate of occupancy.

7. Revocable permit.

8. Construction of a swimming pool or tennis court.

9. Minimum fee for any permit issued under the provisions of this section. (1980 Code § 8-36; amd. 2003 Code)

C. Abandonment Or Discontinuance Of Work; Refund:

1. In case of abandonment or discontinuance, the cost of the work performed under a permit may be estimated, and adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder; provided, that no refund of a prescribed minimum fee shall be made.

2. If such discontinuance is due to revocation of permit, a similar adjustment and return may be made; provided no refund shall be made until all penalties incurred or imposed by due authority have been collected.

3. After such a refund has been made, no work shall be resumed until a new application has been made and a new permit has been issued.

D. Estimated Cost Defined: The term "estimated cost" as used in this section means the reasonable value of all services, labor, materials, and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy; provided, that the cost of excavation or grading and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost. (1980 Code § 8-36)

10-1-4: AUTOMATIC SMOKE DETECTION SYSTEMS:

A. Definitions:

OCCUPANT: The responsible party for maintaining in good working order the required smoke detector(s).

OWNER: The responsible party for providing and installing in good working order the required smoke detector(s).

R-1: This use group shall include all hotels, motels, boarding houses and similar buildings arranged for shelter and sleeping accommodations for more than five (5) occupants, who are primarily transient in nature, occupying the facilities for a period of less than thirty (30) days, or as defined per the current edition of the applicable building code.

R-2: This use group shall include all multiple-family dwellings having more than two (2) dwelling units, and shall also include all boarding houses and similar buildings arranged for shelter and sleeping accommodations in which the occupants are primarily not transient in nature, or as defined per the current edition of the applicable building code.

R-3: This use group shall include all buildings arranged for occupancy as one- or two-family dwelling units, including not more than five (5) lodgers or boarders per family and multiple single-family dwellings where each unit has an independent means of egress and is separated by a two (2) hour fire separation assembly, or as defined per the current edition of the applicable building code.

R-4: This use group shall include all detached one- or two- family dwellings not more than three (3) stories in height and the accessory structures, or as defined per the applicable building code.

I-1: This use group shall include buildings and structures which house six (6) or more individuals who, because of age, mental disability or other reasons, must live in a supervised environment but who are physically capable of responding to an emergency situation without personal assistance, or as defined per the current edition of the applicable building code.

B. Inspection And Testing: All smoke detectors shall be inspected in place at twelve (12) month intervals to identify missing detectors, detectors with impeded smoke entry, dirty detectors and detectors no longer properly located because of occupancy or structure changes. Additionally, a test shall be performed at twelve (12) month intervals to ensure that each smoke detector is in an operable condition and produces the intended response by causing the detector to initiate an alarm at the installed location with smoke or other aerosol acceptable to the manufacturer and to demonstrate that smoke will enter the chamber and initiate an alarm.

C. Type; Installation: Single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the applicable code and the household fire warning equipment provisions for NFPA 72.

D. Location Requirements: Single or multiple station smoke detectors shall be installed and maintained in full operating condition in the locations described herein.

1. Use Group R-1: Single or multiple station smoke detectors shall be installed and maintained in the following locations in use group R-1:

- a. In all sleeping areas;
- b. In every room in the path of the means of egress from the sleeping area to the door leading from the guest room or suite; and
- c. In each story within the guest rooms or suites, including basements. For guest rooms or suites with split levels and without any intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.

2. Use Groups R-2 And R-3:

a. Single or multiple station smoke detectors shall be installed and maintained in all occupancies in the use groups R-2 and R-3 at the following locations:

- (1) In the immediate vicinity of bedrooms;
- (2) In all bedrooms; and
- (3) In each story within a dwelling unit, including basements.

b. Exceptions:

(1) In dwelling units with split levels and without an intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.

(2) In buildings equipped throughout with an automatic sprinkler system, smoke detectors are not required in bedrooms where the bedrooms are equipped with residential sprinklers.

3. Use Group R-4:

a. Single or multiple station smoke detectors shall be installed and maintained in all occupancies in the use groups R-4 at the following locations:

- (1) In the immediate vicinity of bedrooms;
- (2) In each story within a dwelling unit, including basements.

b. Exceptions: In dwelling units with split levels and without an intervening door between the adjacent levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.

4. Use Group I-1: Single or multiple station smoke detectors shall be installed and maintained in all sleeping areas in occupancies in use group I-1. Single or multiple station smoke detectors shall not be required where the building is equipped throughout with an automatic detection system.

E. **Interconnection:** Where more than one detector is required to be installed within an individual dwelling unit in an occupancy in use group R-2 or R-3, or within an individual guestroom or suite in an occupancy in use group R-1, the detectors shall be interconnected in such a manner that the actuation of one alarm will actuate all the alarms in the individual unit.

F. **Battery Backup:** In addition to the required AC primary power source, required smoke detectors in occupancies in use groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source interrupted. Battery backup shall not be required for smoke detectors in buildings equipped throughout with an automatic sprinkler system.

G. Acceptance Testing: When the installing of the detectors is complete, each detector, and all interconnecting wiring for multiple station detectors, shall be subject to one hundred percent (100%) acceptance test in accordance with the household fire warning equipment provisions of NFPA 72.

H. Violation: It is unlawful for any person to violate any provision of this section or to tamper with, remove, destroy, disconnect or remove power from any installed smoke detector, except in the course of inspection, testing, maintenance and, upon conviction, shall be subject to the general penal provisions of this code. (2003 Code).